Denied
TJM

U.S. DISTRICT COURT - N.D. OF N.Y.
FILED
DEC 22 2004
AT ___ O'CLOCK
Lawrence K. Baerman, Clerk - Binghamton

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

Plaintiffs

vs.

KUN FUK CHENG
a/k/a STEVEN CHENG;
JIN RONG CHENG,
a/k/a JOYCE CHENG
and HUI GUO

Defendants.

STIPULATION

Criminal Case No: 04-CR-544 (TJM)

IT IS HEREBY STIPULATED, by and between the parties to this action, Glenn t. Suddaby, United States Attorney for the Northern District of New York, Sara M. Lord, Assistant United States Attorney, of counsel, and Brian Devane, Esq., on behalf of defendant **KUN FUK CHENG;** Lee Greenstein, Esq. on behalf of **JIN RONG CHENG;** and Fred Rench, Esq. on behalf of **HUI GUO,** that the time period before the filing of motions be extended for ninety (90) days from the date of the signing of this Order and that this time be excluded from speedy trial computations under the provisions of Title 18, United States Code, Section 3161(h)(8)(A). This continuance will allow defense counsel to review the extremely extensive evidence and to discuss a possible disposition of the charges without unnecessarily using the time and other resources of the Court, this office, and defense counsel. It is agreed by the parties that the ends of justice served by the granting of said continuance will outweigh the interest of the public and defendants in a speedy trial.

Note: this exclusion shall pertain to all defendants, in the interest of justice and pursuant to Speedy Trial Act, unless a motion for severance is granted.

- Date of indictment: 11/17/04

- Date of initial appearance and/or arraignment: 11/18/04
- Defendant custody status: Not in custody
- Date of detention hearing: ______________
- Date of any previous exclusions granted and the length of such exclusions as to all defendants in above case: None.
- Exclusion concludes: 3/21/05
- Motions shall be filed: 3/15/05
- Motions shall be made returnable 4/22/05 @ 10:00AM in Binghamton, NY
- Trial date/~~Plea date~~ 4/18/05 @ 10:00AM in Binghamton, NY

Defendants are not incarcerated.

Dated: December 7, 2004

GLENN T. SUDDABY
UNITED STATES ATTORNEY

BY: ______________________
Sara M. Lord
Assistant U.S. Attorney
Bar Roll # 104163

Dated: December , 2004

____
Brian Devane, Esq.
Attorney for Defendant
Bar Roll #

Dated: December , 2004

____
Lee Greenstein, Esq.
Attorney for Defendant
Bar Roll #

[redacted]

- Date of initial appearance and/or arraignment: 11/18/04
- Defendant custody status: Not in custody
- Date of detention hearing: ____________
- Date of any previous exclusions granted and the length of such exclusions as to all defendants in above case: None.
- Exclusion concludes: ____________
- Motions shall be filed: ____________
- Motions shall be made returnable ____________
- Trial date/Plea date ____________

Defendants are not incarcerated.

Dated: December , 2004

GLENN T. SUDDABY
UNITED STATES ATTORNEY

BY: ____________
Sara M. Lord
Assistant U.S. Attorney
Bar Roll # 104163

Dated: December 16, 2004

Brian W. Devane
Brian Devane, Esq.
Attorney for Defendant
Bar Roll #

Dated: December , 2004

____
Lee Greenstein, Esq.
Attorney for Defendant
Bar Roll #

[redacted]

[redacted] [redacted] [redacted]

- Date of initial appearance and/or arraignment: 11/18/04
- Defendant custody status: Not in custody
- Date of detention hearing: ______________
- Date of any previous exclusions granted and the length of such exclusions as to all defendants in above case: None.
- Exclusion concludes: ______________
- Motions shall be filed: ______________________
- Motions shall be made returnable ______________
- Trial date/Plea date ________________________

Defendants are not incarcerated.

Dated: December , 2004

GLENN T. SUDDABY
UNITED STATES ATTORNEY

BY: ________________________
Sara M. Lord
Assistant U.S. Attorney
Bar Roll # 104163

Dated: December , 2004

____
Brian Devane, Esq.
Attorney for Defendant
Bar Roll #

Dated: December 1, 2004

____
Lee Greenstein, Esq.
Attorney for Defendant
Bar Roll # 10859

[redacted] [redacted]

[redacted]

Dated: December 16, 2004

Fred Rench, Esq.
Attorney for Defendant
Bar Roll # 102432

* * * * * * * * * * *

SO ORDERED:

Dated: December 22 2004
Albany, New York

THOMAS J. McAVOY
UNITED STATES DISTRICT JUDGE

[redacted]